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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia*, Austria, Belgium*, Denmark, Finland*, France, Germany, Greece*, Hungary*, Iceland*, Ireland, Italy, Luxembourg*, Netherlands, Norway*, Portugal*, San Marino*, Spain*, Sweden*, Switzerland*, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

1997/... Situation of human rights in the Islamic Republic of Iran

The Commission on Human Rights,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, the most recent of which are General Assembly resolution 51/107 of 12 December 1996 and Commission on Human Rights resolution 1996/84 of 24 April 1996,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

1. Welcomes

(a) The report of the Special Representative of the Commission (E/CN.4/1997/63);

(b) The request by the Government of the Islamic Republic of Iran for technical assistance and advisory services from the High Commissioner for Human Rights/Centre for Human Rights;

2. Expresses its concern

(a) At the continuing violations of human rights in the Islamic Republic of Iran, in particular the large number of executions in the apparent absence of respect for internationally recognized safeguards, cases of torture and cruel, inhuman or degrading treatment or punishment, including amputation and public executions, the failure to meet international standards in the administration of justice and the absence of due process of law;

(b) At the grave breaches of the human rights of the Baha'is in the Islamic Republic of Iran and situations of discrimination against the members of this religious community, as well as at the discriminatory treatment of minorities by reason of their religious beliefs, including certain Christian minorities, some members of which have been the target of intimidation and assassination;

(c) At the lack of continuity in the cooperation of the Government with the mechanisms of the Commission on Human Rights;

(d) At the continuing threat to the life of Mr. Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran, and deeply regrets the increase announced in the bounty offered for the assassination of Mr. Rushdie by the 15 Mehrdad Foundation;

(e) At violations of the right to peaceful assembly and restrictions on the freedoms of expression, thought, opinion and the press, and the harassment and intimidation of writers and journalists seeking to exercise their freedom of expression, the arrest of the writer Mr. Faraj Sarkuhi being only the most recent example of such unacceptable practices;

(f) At the lack of full and equal enjoyment by women of human rights, while noting efforts to integrate women more fully into the political, economic and cultural life of the country;

3. Calls upon the Government of the Islamic Republic of Iran:

(a) To resume its cooperation with the mechanisms of the Commission on Human Rights, in particular with the Special Representative in order to allow him to continue his inquiry first-hand and to continue his dialogue with the Government;

(b) To abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including members of religious groups and persons belonging to minorities, enjoy all the rights enshrined in those instruments;

(c) To implement fully the recommendations of the Special Representative and the relevant recommendations of the Special Rapporteurs on religious intolerance and on freedom of opinion and expression, in particular the recommendations relating to the Baha'is, Christians, Sunni and other minority religious groups;

(d) To take effective measures to eliminate all discrimination against women, in law and in practice;

(e) To refrain from violence against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and prosecuting offences reported by them;

(f) To provide satisfactory written assurances that it does not support or incite threats to the life of Mr. Rushdie;

(g) To ensure that capital punishment will not be imposed for apostasy or non-violent crimes, or in disregard of the provisions of the International Covenant on Civil and Political Rights and the United Nations safeguards;

4. Decides:

(a) To extend the mandate of the Special Representative, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year, and requests the Special Representative to submit an interim report to the General Assembly at its fifty-second session and to report to the Commission at its fifty-fourth session, and to keep a gender perspective in mind when seeking and analysing information;

(b) To request the Secretary-General to continue to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

(c) To continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, at its fifty-fourth session under the agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories".

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COMMISSION ON HUMAN RIGHTS
Fifty-third session
Agenda item 9

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Algeria, Cape Verde, China, Colombia, Cuba, Democratic People's Republic of Korea*, Dominican Republic, Egypt, Equatorial Guinea*, Ethiopia, Libyan Arab Jamahiriya*, Mexico, Mozambique, Nigeria*, Sri Lanka, Syrian Arab Republic*, United Republic of Tanzania*, Viet Nam*, Yemen* and Zaire: draft resolution

1997/... Composition of the staff of the Centre for Human Rights

The Commission on Human Rights,

Recalling that in its report to the Special Commission of the Economic and Social Council (E/CN.4/1988/5 and Corr.1), the Commission on Human Rights reaffirmed that the paramount consideration in the employment of the staff at every level was the need for the highest standards of efficiency, competence and integrity, and that it was convinced that that was compatible with the principle of equitable geographical distribution, and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling also, Part II, paragraphs 11 and 17, of the Vienna Declaration and Programme of Action (A/CONF.157/23) in which the World Conference on Human Rights requested the Secretary-General and the General Assembly to provide sufficient human, financial and other resources to the Centre for Human Rights to enable it effectively, efficiently and expeditiously to carry out its activities, and at the same time recognized the necessity for an adaptation of the United Nations human rights machinery in accordance with its real needs,

Taking into account the need to pay particular attention to the recruitment to the Centre for Human Rights of personnel from developing countries and in this regard to improve the current composition of the staff of the Centre on the basis of a more equitable geographical distribution,

Reaffirming its resolution 1996/65 of 23 April 1996,

Taking note with concern of the fact that the note submitted by the Secretary-General to the General Assembly on the geographical composition and functions of the staff of the Centre for Human Rights (A/51/650) pursuant to Commission resolution 1995/65 clearly reflects that one of the regions is overrepresented in the composition of the staff,

Taking note with appreciation of the report of the Office of Internal Oversight Services on the programme and administrative practices of the Centre for Human Rights (A/49/892, annex) in which the Office recognized the necessity of restructuring the secretariat of the Centre,

Expressing its concern once again at the underrepresentation of the developing countries on the staff of the Centre for Human Rights, in particular taking into account the criteria of equitable geographical distribution,

1. Takes note of the report of the Secretary-General on the composition of the staff of the High Commissioner/Centre for Human Rights (E/CN.4/1997/45);

2. Reaffirms that Article 101, paragraph 3, of the Charter of the United Nations should guide the Secretary-General in his policy for the recruitment of the staff of the Organization, in particular taking into account the criteria of equitable geographical distribution;

3. Considers that it is necessary, within the ongoing process of the restructuring of the Centre for Human Rights, to take urgent, concrete and immediate steps to change the prevailing distribution of posts of the staff of the Centre for Human Rights in favour of an equitable geographical

distribution of those posts in accordance with Article 101 of the Charter, particularly by recruiting personnel from developing countries, including to key posts;

4. Requests the Secretary-General to adopt the necessary measures to pay particular attention to the recruitment for the Centre for Human Rights of personnel from developing countries, for the existing vacancies as well as for additional ones, to ensure equitable geographical distribution, giving priority in particular in this regard to the recruitment to high-level and Professional posts and to the recruitment of women;

5. Requests once again the Secretary-General, in signing agreements with countries as a result of which junior professional officers are provided to the Centre for Human Rights, to urge those countries to ensure additional financial resources to guarantee that personnel from developing countries are able to work as junior professional officers, with a view to conforming to the principle of equitable geographical distribution and, in this regard, to establish a permanent mechanism by virtue of which, for each junior professional officer from a donor country joining the Centre, another junior professional officer from a developing country would also join the Centre;

6. Emphasizes the importance of all posts, including ad hoc appointments for field operations, being openly advertised and disseminated with detailed job descriptions among all States before they are filled;

7. Requests the High Commissioner for Human Rights to ensure that junior professional officers are not assigned sensitive political tasks where their impartiality may be called into question;

8. Also requests the High Commissioner, while keeping all States informed regularly of the ongoing process of restructuring of the Centre for Human Rights, to inform the Commission of the implementation of the present resolution;

9. Calls upon the Secretary-General to submit a comprehensive report to the General Assembly at its fifty-second session and to the Commission on Human Rights at its fifty-fourth session on the implementation of the present resolution, including measures adopted and their results, and recommendations for improving the present situation;

10. Decides to consider this matter under the same agenda item at its fifty-fourth session.